

Confidential Serial No: 10/627,724

Response to Official Action of March 21, 2007

RESPONSE TO OBJECTIONS AND REJECTIONS

In response to the Official Actions dated March 21, 2007, applicant has provided the explanations below to clarify the Examiner's questions and misunderstandings regarding the claims in the application.

(1) The Official Action's rejection of the phrase "about 5 mm to above" for being rejected under first and second paragraphs.

Applicant included the range "about 5 mm to above" in the original application along with other ranges. This is due to various factors: (1) the application is disclosing various embodiments; and (2) the various embodiments include various ranges which are all operable. It is permissible under U.S. Patent law to have various ranges and dimensions for various features of a part, and such claimed variations does not make a claim "non-enabling" or "indefinite".

Furthermore, as Applicant asserted previously, on page 3, paragraph 1, the specification states that the "3-jaw key type chuck with up to at least 6.35 mm capacity includes a stepped exterior diameter dimension". This paragraph is clearly indicating that the capacity may be up to **at least** 6.35, and therefore clearly connotating that it can be up to 6.35 mm or more. The "at least" portion then adds they fact that this range may be greater. And in fact, in the preferred embodiment, that is the range. However, the claims are not just limited to the

preferred embodiment and may be expanded past such a dimension to protect against other parties attempting to design around the application. This was later emphasized in the original claims when we claimed the language in original Claims 14 and 18. Therefore, the specification clearly supports this range and a person skilled in the art would clearly know that having various ranges would be enabling and definite. The reason that range was left out of the original specification was that applicant believed that the portion described above on Page 3, paragraph 1, clearly covered such a range. In order to appease the Examiner, Applicant later added the narrower claimed range into the specification.

(2) The Official Action's rejection that "the second portion B has a diameter D which is less than then diameter of the first portion" not being definite.

Applicant respectfully disagrees. The specification and drawings clearly set forth the description that diameter E is larger the diameter D which creates a "stepped portion". The range for diameter E may be 25.5 mm to above [See Page 5, Paragraph 2] and the diameter for D maybe be in the range of 25.2 to 25.6 [Page 6, paragraph 1]. Therefore, if the diameter of E is 25.5 then the diameter of D may be anywhere from 25.2 to 25.49999. One skilled in the art would be able to read the specification and would not create any confusion as to the permissible range. Even though D has a permissible range of 25.6 it is dependent on the range of diameter E in order to have the full capacity for the range.

(3) The Official Action's rejection regarding the use of the term "about" in the claims making the claims indefinite.

This rejection was also included in the first Office Action and we argued this point before in our first Response and then the rejection was withdrawn. The MPEP clearly sets forth guidelines for using the term "about" in the claims, and Applicant's claims parallel the examples set forth in the MPEP as permissible use of the term about. [SEE MPEP 2173.05(b)]

Should the Examiner have any questions, please contact Rouz Tabaddor, Esq. at (202) 489-7849 or at rouz@tabaddorlaw.com.

Respectfully submitted,

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